



North County Watch

Looking Out Today For Tomorrow

Central Coast Regional Water Quality Control Board
Attn: Ms. Mary Adams
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Sent via Email: centralcoast@waterboards.ca.gov
From: Susan Harvey ifsusan@tcsn.net

RE: Comments for 2009 303 D List of Water Quality Limited Segments

Dear Ms. Adams,

North County Watch is a 501 3 c California non-profit corporation. Our Mission statement is:

North County Watch is a local non-profit, non-partisan organization committed to balanced and responsible development in and around northern San Luis Obispo County. Its purpose is to promote economic and environmental policies that maintain and enhance the uniqueness of our community.

For the past 3 years our organization has been involved in issues of particular importance to the health and environmental integrity of the Salinas River watershed in San Luis Obispo County. During the last several years numerous applications for sand and gravel mine operation in the Salinas River watershed have been proposed and rejected by the county. Since 2006 the interest in establishing sand and gravel mines in the watershed have culminated in the following applications making their way through the system:

- Pehl – 80,000 annual CY
- Viborg – 45,000 annual CY
- Pankey – 145,000 annual CY
- Martin Pond – 12,000 annual CY
- Weyrick Gravel Mine – 65,000 annual CY

We have been actively participating in commenting on these projects as they come for public hearings. The cumulative information that has emerged regarding this watershed is that it is already over permitted by as much as 100% on some reaches of the river and over permitted on all reaches cumulatively. Additionally, it should be noted that the currently operating active mines are vested mines and for the health and safety of the public and the watershed, steps

Page 1 of 3

should be taken to limit the cumulatively allowed amount of sand and gravel currently being extracted. Historically, according to testimony by a representative of California Department of Fish and Game, Ms. Deborah Hilyard, at the May 8, 2009 SLO County Board of Supervisors meeting on the Pehl mine application, historically only 50% of the allowed volume has been mined. According to figures presented by Ms. Hilyard, which were based on research by Mr. Kit Custis, consulting for DFG, the historical 50% extraction rate still exceeds the safe allowable yield. Exceeding safe allowable yields put residences and public structures at risk for bank erosion, bridge abutment undermining, flooding, channelization, increased sedimentation, and extensive damage to wildlife and the ability of the endangered south central coast steelhead population to survive.

We are attaching a number of documents and comment letters that we have submitted regarding this issue.

We are actively involved in a water rights complaint for de-watering of creeks involving upper tributaries of the Salinas river headwaters. We are attaching copies of documents relating to this action.

We believe that both of these issues directly impact important aspects of your jurisdiction over the Salinas River watershed environment and habitat, health, water quality, endangered south central coast steelhead habitat, recreation and visual character of the watershed and your inclusion of the watershed in the 303 D listing as an impaired waterway. It is our position that the Salinas River Watershed is in serious and immediate need of a comprehensive Restoration Plan.

Thank you for your consideration of our comments for the continued inclusion of the Salinas River in your 303 D listing. We hope that you may consider the seriously impaired condition of the river and the potential for additional damage as incentives to give the Salinas Watershed high priority for restoration funding.

Yours truly,

Susan Harvey
President
805-239-0542

Attachments:

- 1 Letter dated November 21, 2008 to the San Luis Obispo County Board of Supervisors;
- 2 Letter dated May 4, 2009 to the San Luis Obispo County Board of Supervisors;
- 3 Letter dated December 15, 2008 to the San Luis Obispo County Board of Supervisors;
- 4 Letter dated December 11, 2008 to the San Luis Obispo County Board of Supervisors;
- 5 Letter dated August 28, 2008 to the San Luis Obispo County Planning Commission;
- 6 Guidelines for Steelhead Flows;
- 7 The Effects of summer Dams on Salmon and Steelhead;
- 8 Sediment Removal Policy USNMFS

- 9 Habitat Protection Policy USNMFS
- 10 Gravel Extraction Policy USNMFS
- 11 Fish Screening USNMFS
- 12 Memo written October 9, 2009 from CDFG
- 13 Obstructions of Fish Passages;
- 14 Letter from CDFG dated May 7, 2008;
- 15 Memo written August 21, 2008 from CDFG;
- 16 Public correspondence on the Pehl mine application;
- 17 RWQCB letter dated June 5, 2008;
- 18 RWQCB letter dated June 10, 2008;
- 19 San Benito River Article;
- 20 Memo written July 28, 2008 from CDFG;
- 21 UC Davis publication: Salmon, Steelhead and Trout in California – Status of an Emblematic Species;
- 22 Public Trust Doctrine protect wildlife;
- 23 Letter dated July 16, 2008 to Water Resources Board from NCW;
- 24 Attachments to Water Rights Complaint;
- 25 Letter dated august 8, 2008 from DFG on Water Rights complaint;